

## **PLANNING BOARD DECISION**

*Property Ownership:* Paul F. Kapela Trust 39 Highland Road, South Hampton, NH 03827

*Applicant:* Chinburg Builders Inc., 3 Penstock Way, New Market, NH 03857

*Application Type:* SPECIAL PERMIT & SITE PLAN REVIEW

*Project:* Mill Redevelopment – Conversion to Residential Use – 20 Cedar and 4 Poplar Street in Amesbury, MA. 01913.

*Date:* October 07, 2013

RECEIVED  
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AMESBURY CITY CLERK

AT TRUE COPY ATTEST

*Bonny Kitchin*  
CITY CLERK

May 7, 2015

Special Permit & Site Plan Approval – Mill Redevelopment  
20 Cedar Street/4 Poplar Street Amesbury, MA 01913

## A. GENERAL

On or about 05-28-13, the Amesbury Planning Board (the "Board") received a **Site Plan Review** application ("Application") for a proposed Mill Redevelopment into residential use for forty eight (48) apartments at the corner of Cedar and Poplar Streets in Amesbury MA.

On or about 07-23-13 the Board also received a **Special Permit** application requesting residential use in the Industrial Central (IC) zoning district as allowed in the Downtown Artist Overlay District. The Application was submitted along with a Site Plan (the "Plan") drawn by Jones & Beach Engineers, Inc., 85 Portsmouth Ave., P.O. Box 219 Stratham, NH 03885 on 04-11-2013 and last revised on 5-31-2013. The Application and supporting documents were submitted by Wayne Morrill P.E. on behalf of Eric Chinburg, Chinburg Builders Inc., 3 Penstock Way, New Market, NH 03857 (the "Applicant"). The set of plans includes eleven (11) sheets.

The Board also received supplemental plans and documents pertaining to historical use of property, stormwater, drainage, erosion control, water and sewer services, architectural elevations, and landscaping plans for review (see Sheets 1 - 11). The Application includes the following documents, plans and reports:

- Exhibit 1 - Approved Site Plan Set (Sheets 1 – 11);
- Exhibit 2 – Certified Sanborn Map 1904 & 1930; Plan of Land, 1960 & 1974;
- Exhibit 3 – Quitclaim Deed;
- Design Book dated 06-24-13; and
- Stormwater Management Report dated 5-13-13.

The Board held the initial public hearing on 06-24-13 and subsequent public hearings on 09-09-13 and 09-23-13. The public hearing was closed on 10-07-13 and a decision was rendered on 10-07-13. This is the Certificate of Approval for the Site Plan and the Decision of the Board on the Special Permit ("Decision").

**B. FINDINGS:**

1. **Project Site:** The Project is located in the Industrial Commercial (IC) zoning district and the Downtown Artist (DAD) Overlay District. The Application includes properties located along Cedar and Poplar Street and identified as Map 40 Lot 208 and 209 on the City's Assessor's Map. The total land area in the Project is approximately 1.65 acres;
2. **Historical Uses & Existing Conditions:** The mill building was constructed around 1900 and was part of a mill complex on the north shore of Clark's Pond. These mills were used for manufacturing of carriages. On or about 1934, the Merrimack Hat Corporation began manufacturing fur body hats on the subject property and hat manufacturing continued until the late 1960s. Around 1972, it went out of business and both 20 Cedar Street and 4 Poplar Street properties were transferred to Sumner Gladstone and over time it came to be owned by the current owner Paul F. Kapela Trust. The Site comprises of a 40,191 square feet industrial mill building on 0.89Ac and a vacant lot on 0.76 Ac. The manufacturing business has closed. Currently, the vacant mill building is an eye sore for the neighborhood and the lack of a delineated sidewalk along Poplar Street results in unsafe pedestrian access from the residential neighborhood to the Downtown area.
3. **Project Description and Proposed Uses:** The existing mill building will be renovated into 48 studio apartments ranging from 1 – 3 bedrooms. The brick façade will be repaired and restored. The non-historic storage and loading areas will be removed bringing the building to its original footprint and the building footprint will now be approximately 37,600 square feet. Window openings will be retained and replacement windows will be put back. The Project is also in keeping with the land use and economic development recommendations of 2004 Master Plan. The Board finds that Project will be an overall improvement over existing conditions and increase housing opportunities in close proximity to Downtown;

4. **Off – Street Parking:** A total of 72 parking spaces are required per zoning requirements. Five (5) parking spaces have been proposed adjacent to the existing building and sixty seven (67) parking spaces are being provided across from the building on the vacant lot. No visitor parking is being proposed. No on-street parking is proposed.
5. **Traffic and Vehicular Circulation:** Vanasse and Associates, Inc. prepared a Traffic Impact and Access Report for this Project. The report indicates that the Project will actually reduce the number of vehicular trips if the proposed residential use replaces the industrial use of the property. The proposed improvements to Poplar Street and the better defined entrances and exits improve the traffic circulation on and off-site. The Board finds that with the implementation of these improvements, safe and efficient access will be provided to the Project site and the Project will have minimal impact on the neighboring roads;
6. **Stormwater Management:** The Project proposes to reduce the existing impervious surface and create more stormwater management capacity on the site. The proposed stormwater design would reduce the flow and volume of water from existing conditions thereby reducing the peak flows onto abutting properties and public ways. The use of porous pavement in the parking area is another Low Impact Design ("LID") technique that has been used to reduce the overall stormwater runoff and has been incorporated into the stormwater management design. The Board finds that these design measures and improvements will reduce the impact on abutting properties and improve the drainage from the site;
7. **Public Utilities:** The Project will not overburden the existing water and sewer infrastructure. There is sufficient public infrastructure capacity to service the proposed residential use;
8. **Landscaping Plan:** Currently there is no usable open space or landscaped areas on the existing Project site. The proposed improvements include usable rear yard with decks

and green spaces, patio areas at the entrance and landscaping along Poplar Street. Several shade trees are being added in the parking lot across from the existing building. The Board finds that this is an improvement over existing conditions and would enhance the character of the neighborhood;

9. **Pedestrian Access:** New sidewalk along Poplar Street would provide pedestrian connection to existing sidewalks along Cedar Street. New landscaping along the existing building and the street edge make the neighborhood more inviting and pedestrian-friendly;
10. **Signage:** No signage is being proposed at this time. There is currently no signage on the building either. The Board finds that appropriately scaled signage would complement the intended future use of the property and not a visual nuisance to the abutting properties;
11. **Lighting:** The proposed lighting plan shows a variety of light fixtures based on location. The Board finds this lighting proposal desirable as it reduces the amount of light spillage across property lines and lighting glare along Cedar and Poplar Streets. At the same time, it provides a safe environment for pedestrian and vehicular movement during non-daylight hours.
12. **Affordable Housing Units:** A total of 20% of the units are proposed to be deeded as affordable units in perpetuity pursuant to M.G.L. Chapter 40B Section 20 and Section 23. The Board did not review any legal documents pertaining to affordable restrictions or the allocation of affordable units within the building. The affordable units will be regulated under the administrative provisions outlined under Section V.F of the zoning bylaw.

Based on the findings noted in 1 through 12 above, the Board finds that the Project satisfies the Development and Performance Standards under Section XI.C.8, the Special Permit

findings under X.J and the Site Plan Review Criteria under Section XI.C of the Amesbury Zoning Bylaw (the "Bylaw").

## **C. APPROVAL AND CONDITIONS THERETO**

After a public hearing, upon notice in accordance with the statute (General Laws, Chapter 40A, section 11) and the Amesbury Zoning Bylaw, and after full consideration of the evidence presented, and upon the findings made by the Board and hereinafter set forth, a Special Permit and Site Plan Approval for proposed renovation of the existing mill building and allow upto 48 unit apartments as shown on the approved Plan is granted for the premises described in the Application, further upon the conditions that follow:

### **1. PRIOR TO ENDORSEMENT OF FINAL PLAN:**

The Approved Site Plan shall become the Final Plan upon endorsement by the Board. The Applicant shall file with the Board and all other relevant public agencies for review and consistent with this Decision any documents and shall have completed the following actions:

1. **Legal Documents:** The following documents shall be submitted for review and approval:
  - a) **Planning Board Decision and Final Site Plan** - A copy of this Decision and Final Plan as recorded at the Essex Registry of Deeds shall be submitted to the Board and the Building Inspector;
  - b) **Order of Conditions** - A copy of the recorded Order of Conditions shall be provided;
  - c) **Covenant** - A covenant shall be placed on the redevelopment until a Performance Bond has been established with the Board. This covenant is to be received by the Board prior to the commencement of any of the on-site improvements shown on the Final Plan;
  - d) **Affordable Housing Units Deed Restriction** – Proposed permanent affordable housing restriction shall be provided to the City for review and approval; and

- e) Stormwater Management covenant – As outlined in this Decision, a Declaration of Covenant shall be submitted for review and approval by the Board;
- 2. CAD Drawings: Three copies of all drawings and recorded site plans as approved by Board shall be provided as Computer Assisted Drawings (CAD) on Compact Disks to the Board;
- 3. Submission of Architectural Drawings: A copy of the complete set of architectural drawings shall be submitted to the Board for review prior to making application for a building permit;
- 4. Surety Bonds: The Applicant shall be required to post sureties with the Board as follows:
  - a. Sedimentation and Erosion Control Bond to ensure that all drainage and erosion control measures are implemented, including the proposed parking lot re-construction, drainage system, and grading plan as per the Final Plans and other engineering drawings; and
  - b. Performance Bond for all of the landscaping improvements, fences around the property and dumpster areas, stormwater BMPs including bio-retention areas and Right of Way (ROW) improvements including sidewalk as shown on the Final Plans;
- 5. Pre-Construction Conference: At least forty-eight (48) hours prior to any initial site work, a Pre-Construction conference shall be held with the Applicant, Applicant's contractor, a representative of the Board, its consulting engineer, and representatives of the City Departments having an interest in the Plan. Said meeting shall be for the purpose of familiarization with the project, the conditions of approval, and the project's construction sequence and timetable. This meeting may be in conjunction with the pre-construction meeting required by the Amesbury Conservation Commission as per its Order of Conditions.

**2. PRIOR TO MAKING REQUEST FOR AN OCCUPANCY PERMIT:**

The Applicant shall file with the Board and all other relevant public agencies for review and consistent with this Decision any documents and shall have completed the following actions:

1. **Certification of Improvements:** The Applicant shall submit a letter to the Building Inspector from the Board verifying that all conditions of approval have been met and that construction to date is in compliance with the approved plans;
2. **Infrastructure Improvements:** All off-site infrastructure improvements including sidewalks and the on-site stormwater drainage system shall be completed as per Final Plans prior to making application for any occupancy permit. The Applicant shall submit a letter from the Board's construction observation consultant that these improvements have been completed in accordance with the approved stormwater management design and as approved by the Board. The Applicant shall request written confirmation from the City Engineer and DPW Director that the finished construction of all utilities that all municipal structures located within the public ROW or easement areas are adjusted to appropriate finished grade, and are adequately accessible for future maintenance; and
3. **Landscape Improvements:** All site improvements, including landscaping and street trees shall be completed and installed as per Final Plans prior to making application for the occupancy permit for last twelve (12) or 25% of the proposed units. The Landscaped Architect for the project shall submit a certification that the trees, shrubs and screening plants have been installed as per approved plans. All proposed trees shall be placed in position or staked out for approval by the Board (or its designated agent) prior to digging;

### **3. GENERAL AND IN PERPETUITY CONDITONS**

1. **Compliance with Local, State and Federal Requirments:** The Project and all construction, utilities, roads, drainage, earth removal and filling and all related appurtenances with respect to the Project, shall comply with all applicable local, state and federal regulations except as waived specifically by this Decision. The Applicant shall be responsible for acquiring all other local, state and federal permits and approvals as necessary to construct the Project as approved by the Board. Final action on all other permits shall be submitted to the Board for record.
2. **Inspections:** The Board shall require the inspection of drainage and stormwater management system to ensure that the work is carried out in accordance with the Final Plans and to ensure that all improvements are in compliance with the conditions stated in this Decision. The Board shall require the establishment of a construction observation account and the Applicant shall provide the funds necessary for inspection by the Board's consultant prior to start of any construction activity. To the extent feasible, the Board will coordinate with the Conservation Commission to retain the same consultant;
3. **As-Built Plans and Repairs:** To ensure compliance with the terms and conditions of this Decision and any approval or order by any federal, state-agency, the Applicant shall submit plans with a certification from a Professional Engineer or Architect registered in the Commonwealth of Massachusetts that the Project "As-Built Plan" complies in all substantive respects with this Decision and any other approval or order by any federal, state or local agency. Any damage to public roads and walkways shall be repaired and/or replaced to the satisfaction of the DPW Director and City Engineer;
4. **Final Release of Surety Bonds:** Prior to release of any Sedimentation Surety, the Board shall verify with its construction observation Consultant and the Commission that the soils and slopes have stabilized and that there is evidence of healthy mature grass and/or landscaping on the site. Final release of the performance bond for site improvements (excluding buildings) shall be made when all the following conditions

have been met: a) Upon completion of work as shown on the Final Plans, the Applicant shall furnish a report from the Board's construction observation consultant indicating that all site work has been completed as per the Board's Decision and as shown on the Final Plans; b) A recorded copy of the Certificate of Compliance (CoC) from the Commission shall be provided to the Board along with a final As-Built plan; c) there are no other outstanding concerns from any City Department or from the Board; and d) upon completion of all off-site improvements and stormwater management system, the Applicant shall submit an "As-Built Plan" to the Board along with a written confirmation from a Registered Professional Engineer, indicating that construction complies with the approved site plans and conditions of approval, including drainage and utility plans;

5. **Environmental Compliance:** In order to effectively coordinate and integrate the required observation and inspection reports for this project, the Board recognizes that the Plan(s) shown under the Notice of Intent Application (as revised) and the Order of Conditions, issued by the Amesbury Conservation Commission ("Commission"), shall also be carried out to the satisfaction of the Commission or its agents. Also,
  - a. Except as waived by this Decision or a decision of the Commission, the construction of this project shall comply with the Amesbury Wetlands Bylaw and Commission Regulations in effect at the time any building permit is sought for the project or for any jurisdiction for roadway-associated construction, and with all rules, regulations, filing and permit requirements and certifications of the Commission with respect to natural resource protection, construction of storm water management structures within the Buffer zone and their disposal, and use limitations with Buffer zones;
  - b. Any request for alteration to the Order of Conditions made by the Applicant to the Commission (or to Massachusetts Department of Environmental Protection (Mass DEP), upon appeal) shall be simultaneously provided to the Board. The proposed work shall comply with the "Order of Conditions" issued by the Commission upon the said premises;

- c. The Order of Conditions from the Commission shall be carried out to the satisfaction of the Commission. Any violation of the Order of Conditions issued by the Commission shall be deemed to be a violation of this Approval, with all remedies to the City of Amesbury as provided by law;
6. **Building Design and Architectural Details:** No changes to the exterior of the building design, materials or finishes shall be allowed without written approval of the Board. All windows and doors shall be consistent with historic colors. White frames and sashes shall not be allowed. Prior to start of construction, final details of all exterior finishes, details, elevator room, windows and door openings, construction details for deck railings, entrance patio and retaining walls shall be provided to the Board for review. Any changes to the approved building elevations shall require approval of the Board;
7. **Total Number of Structures, Units and Allowed Uses:** No more than forty eight (48) residential units ranging from one to three bedroom studio apartments shall be allowed as shown on the Final Plan set. The gross floor area shall not exceed 36,700 square feet in area. No non-residential use shall be allowed without written approval of the Board. Only one existing building shall be allowed and no other habitable structure shall be constructed or installed on the Project Site without prior approval of the Board;
8. **Conversion into Condominiums:** This Special Permit is granted only for the creation of no more than forty eight (48) apartments. Conversion of these units into condominiums shall not be allowed without further written approval of the Board after a new public hearing on the Project. No request for conversion shall be accepted without further demonstrating the Project complies with the zoning provisions applicable at that time and total parking at a minimum of two (2) spaces for each two or more bedroom residential unit and one (1) visitor parking space for every six (6) units in the Project;
9. **Signage:** Any proposed signage for this site shall comply with the terms of this Decision as outlined here. Only signs made of natural materials or similar shall be allowed. Signs may only be lit indirectly with dark sky complaint luminaires. Ground

mounted signs shall be no more than fifty six (56) inches in height from finished grade at the mounting location. Mounting posts shall be made of granite or natural stone and appropriately landscaped. Only one free-standing ground sign shall be allowed for the Project not to exceed fifteen (15) square feet. Only one building-mounted sign not exceeding twelve (12) square feet in total area shall be allowed. It shall be made of wood or sign-foam materials and shall be gold letters on black background. Any significant deviations from these requirements may be deemed a major modification to the Site Plan Approval and require a new public hearing for the Project. The Applicant shall submit a sign package showing materials, colors, size, location and method of mounting for building or ground signs. The sign package shall be reviewed by the Board for consistency with this Decision and shall render its findings and decision on the signage at that time.

10. **Stormwater Management Covenant:** A covenant for stormwater management shall be recorded establishing the responsibility of the property owner to install, maintain and repair the approved the stormwater management system. The covenant shall include the Operation and Maintenance Plan as approved by the Board;
11. **Affordable Housing Units:** Of the total number of units in the Project, 20% of the units shall be affordable units that satisfy the requirements of MGL Chapter 40B Section 20 and Section 23 and shall be deeded affordable in perpetuity. The affordable units shall be equally distributed among each bedroom type, i.e, 20% of each type of unit shall be deeded affordable. All affordable units shall be distributed uniformly in the total development. The applicant, or their successors, shall be responsible for any and all paperwork needed by the state agencies in order for the affordable units to qualify towards the subsidized housing inventory maintained by Department of Housing and Community Development or any other state agency appointed in the future. The applicant, or their successors, shall be responsible for marketing and conducting the lottery for the initial renting of the affordable units, unless agreed upon otherwise by Office of Community and Economic Development (OCED). The OCED on behalf of the City of Amesbury shall monitor, oversee and certify income eligibility of qualified

buyers and shall be compensated by the applicant, or their successors, for these services. The provisions of Section V.F.7 of the Zoning Bylaws shall be incorporated here by reference;

12. **Lighting Plan:** All exterior light fixtures on the building and in the parking areas shall be installed as per approved lighting plan. All light fixtures shall be black in color. All bases shall be no more than six (6) inches from finished grade. The approved lighting plan, including light fixtures and luminaires shall not be modified without further written approval of the Board;
13. **Restrictions:** Recorded copies of all restrictions, building and site design covenants for signage, building, lighting, utilities and landscaping maintenance shall be provided. Note, the approved light fixtures on the building and light poles in the parking areas, quantity and type of landscaping shrubs and plants, property and dumpster fences and other on-site improvements shall be maintained in perpetuity and no changes shall be made without prior written approval of the Board. Repairs and replacement of any of these components shall be made in accordance with approved plans and as per the Board's Decision;
14. **Landscaping Plan, Vegetative Buffers and Property Fences:** All landscaping shall be planted in accordance with the approved site plan and in compliance with design standards of Section XI.C of the Zoning Bylaws and shall be maintained by the Property owner(s) in perpetuity. Landscaped areas approved as part of the overall stormwater management shall be properly maintained and replaced if damaged;
15. **Trash Pickup, recycling and snow plow:** The parking lots and access driveways shall remain private and the property owner(s) shall be responsible for maintenance and repairs of these areas. Trash pickup and snow plow services shall be provided privately and shall not become the responsibility of the City. Recycling bins, if placed within the ROW area, shall not obstruct the sidewalk or other pedestrian areas within the public ROW or block access to emergency vehicles;

16. **Dumpster Pick-Up:** No trucks will be permitted to deliver between 11 PM and 6AM.
17. **Site Plan Modifications:** Prior to expansion, addition or alteration of uses allowed by this Site Plan Approval, the Applicant shall provide detailed information and plans along with a formal written request for modification to the approved Site Plan for determination of minor or major modification and approval by the Board. Any substantial modifications to the approved Site Plan or changes that impact the Performance Standards under XI.C.8 or conditions of approval of this Decision shall be subject to review and approval of the Board. The Board shall, if it so determines, require the applicant to submit a new application for modification to the approved Site Plan and hold a new public hearing for review of the requested modifications;

***Chair, Amesbury Planning Board***

**EXHIBITS:**

**A) PLAN SET:** All plans prepared by Jones & Beach Engineers, Inc., 85 Portsmouth Ave., P.O. Box 219 Stratham NH 03885, unless noted otherwise, for Chinburg Builders Inc., 3 Penstock Way, New Market NH 03857

- 1) Entitled:           **CS - Cover Sheet**  
Mill Redevelopment & Parking Lot Expansion  
Cedar Street/Poplar Street, Amesbury, MA 01913  
Sheet 1 of 11; Date: 4/11/2013; Revised 5/11/2013
  
- 2) Entitled:           **C1 - Existing Conditions & Demolition Plan**  
Mill Redevelopment & Parking Lot Expansion  
Cedar Street/Poplar Street, Amesbury, MA 01913  
Sheet 2 of 11; Date: 4/11/2013; Revised 10/01/2013
  
- 3) Entitled:           **C2 - Site Plan**  
Mill Redevelopment & Parking Lot Expansion  
Cedar Street/Poplar Street, Amesbury, MA 01913  
Sheet 3 of 11; Date: 4/11/2013; Revised 10/01/2013
  
- 4) Entitled:           **C3 - Grading and Drainage Plan**  
Mill Redevelopment & Parking Lot Expansion  
Cedar Street/Poplar Street, Amesbury, MA 01913  
Sheet 4 of 11; Date: 4/11/2013; Revised 10/01/2013
  
- 5) Entitled:           **L1 - Lighting Plan**  
Mill Redevelopment & Parking Lot Expansion  
Cedar Street/Poplar Street, Amesbury, MA 01913  
Sheet 5 of 11; Date: 4/11/2013; Revised 10/01/2013
  
- 6) Entitled:           **L1.1 – Landscape Plan**  
Mill Redevelopment  
Cedar Street/Poplar Street, Amesbury, MA 01913  
Sheet 6 of 11; Issue Date 05-28-2013  
Prepared by Howard Snyder 26B Strong Street Newburyport, MA 01950
  
- 7) Entitled:           **D1 – Details Sheet**  
Mill Redevelopment & Parking Lot Expansion

Cedar Street/Poplar Street, Amesbury, MA 01913  
Sheet 7 of 11; Date: 4/11/2013; Revised 10/01/2013

- 8) Entitled: **D2 – Details Sheet**  
Mill Redevelopment & Parking Lot Expansion  
Cedar Street/Poplar Street, Amesbury, MA 01913  
Sheet 8 of 11; Date: 4/11/2013; Revised 10/01/2013
- 9) Entitled: **E1 – Erosion and Sediment Control Details**  
Mill Redevelopment & Parking Lot Expansion  
Cedar Street/Poplar Street, Amesbury, MA 01913  
Sheet 9 of 11; Date: 4/11/2013; Revised 5/11/2013
- 10) Entitled: **A1 – Architectural Renderings**  
Mill Redevelopment & Parking Lot Expansion  
Cedar Street/Poplar Street, Amesbury, MA 01913  
Sheet 10 of 11; Date: 4/11/2013; Revised 5/11/2013
- 11) Entitled: **A2 – Architectural Floor Plans**  
Mill Redevelopment & Parking Lot Expansion  
Cedar Street/Poplar Street, Amesbury, MA 01913  
Sheet 11 of 11; Date: 4/11/2013; Revised 5/11/2013

**FOR REGISTRY USE ONLY**

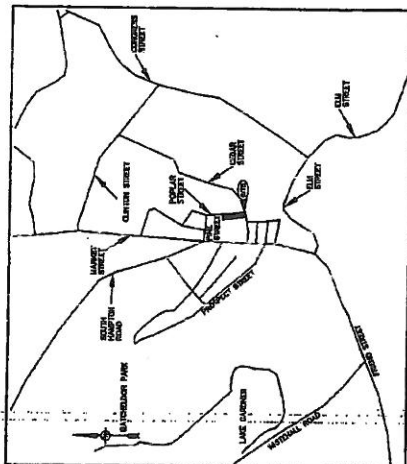
I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS.

*Michael Kervan*  
MICHAEL KERVAN

5/26/03  
DATE

**SHEET INDEX**

20	COVER SHEET
21	EXISTING CONDITIONS PLAN
22	SITE PLAN
23	GRADING AND DRAINAGE PLAN
1	LIGHTING PLAN
2	LANDSCAPE PLAN
1-22	DETAIL SHEETS
1	EROSION AND SEDIMENT CONTROL DETAILS
1	ARCHITECTURAL FLOOR PLANS
3	ARCHITECTURAL ELEVATIONS



**LOCUS MAP**  
**SCALE 1" = 1000'**

**APPLICANT / DEVELOPER**  
CHINSHING BUILDERS INC.  
1 PENSTOCK WAY  
MENMAKET, NH 03857

**OWNER OF RECORD**  
**PAUL F. KAPELA TRUST**  
**39 HIGHLAND ROAD**  
**SOUTH HAMPTON, NH 03827**

**CONTACT: MATT ASSIA**  
**CIVIL ENGINEER / SURVEYOR**  
**JONES & BEACH ENGINEERS, INC.**  
**15 PORTSMOUTH AVENUE**

**WETLAND CONSULTANT**  
**SEEKAMP ENVIRONMENTAL CONSULTANTS, INC.**  
128 ROUTE 125  
KINGSTON, NH 03846

603) 772-1748 ::  
CONTACT: WAYNE MORRILL  
EMAIL: WMORRILL@JONESANDBEACH.COM

**ELECTRIC**  
**CONTACT: MICHAEL SEEKAMP**  
**(603) 642-8300**

**TRAFFIC ENGINEER**  
VANASSE & ASSOCIATES, INC.  
20 N.E. BUSINESS CENTER DRIVE, SUITE 314  
ANDOVER, MA 01810  
(978) 474-6800  
CONTACT: JEFFREY DIRK

**NATIONAL GRID  
BAY STATE NORTH  
1101 TURNPIKE STREET  
NORTH ANDOVER, MA 01845  
(978) 725-2215  
CONTACT: STEVE HALL**

1	5/15/13	REVISIT PER TOWN REVIEW	MARK
0	4/11/18	REVISIT FOR REVIEW	GRD
RISK	DAMP	DESTRUCTION	---



Date	08/07/16
Product No.	130909
AS NOTED	
DATE OK	
SIGNATURE	
CHECKED BY	
APPROVED BY	
REMARKS	

**J/B Jones & Beach Engineers, Inc.**  
 Designed and Produced in USA  
 201 Portsmouth Ave.  
 P.O. Box 210  
 Cranston, RI 02905  
 Civil Engineering Services  
 903-772-7146  
 FAX: 903-772-0227  
 E-MAIL: JEE@JONESANDBEACH.COM

Plant Name:	COVER SHEET
Project:	MILL REDEVELOPMENT POPLAR STREET, AMESBURY, MA 01813
Owner or Rec'd:	PAUL F. KAPLAN TRUST 500 WILSON AND SONS STREET AMESBURY, MA 01813

CS  
SHEET 1 OF 11  
DRAWING NO.

DATE:

APPROVED - AMESBURY, MA  
PLANNING BOARD

PROJECT PARCEL  
CITY OF AMERIKY  
X MAP 49, LOT 208 & 209

**APPLICANT**  
**HINDRICK BUILDERS INC.**  
**3 PIEDMONT WAY**  
**NEWTON, MA 02459**

**TOTAL LOT AREA**  
71,813 SQ. FT.  
1.62 ACRES

APPROVED - AMESBURY, MA  
PLANNING BOARD





FOR REGISTRY USE ONLY

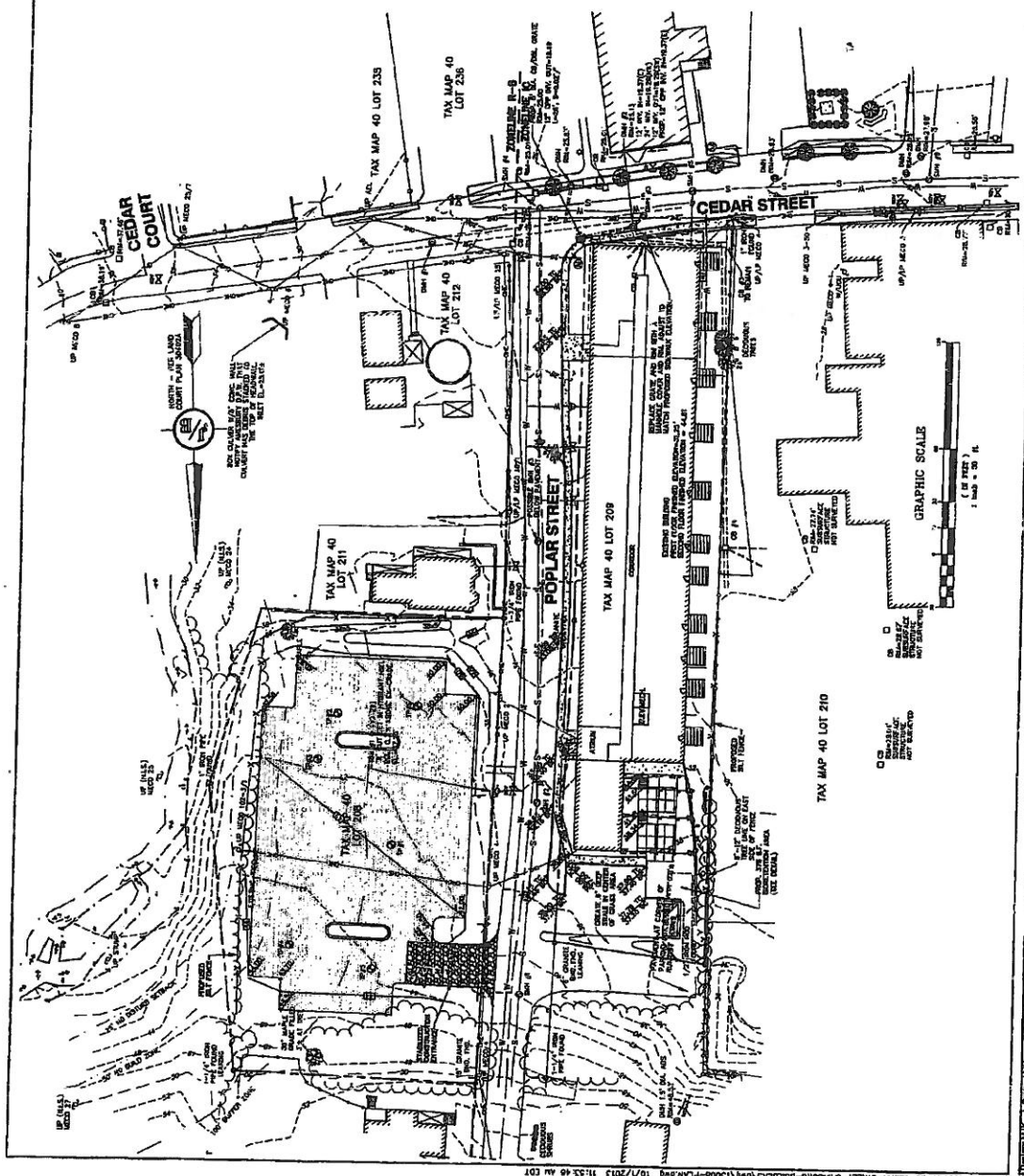
CONSENT THAT THIS PLAN CONFORMS TO THE REQUIREMENTS OF THE REGISTRY OF DEEDS.

DATE: \_\_\_\_\_

MICHAEL KOSYAN

### GRADING AND DRAINAGE NOTES:

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF ALABAMA AND THE ALABAMA DEPARTMENT OF HIGHWAYS AND TRANSPORTATION.
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**J/B Jones & Beach Engineers, Inc.**  
Civil Engineering Services  
600-775-1744  
PO Box 218  
Birmingham, AL 35202  
E-MAIL: JBE@JONESANDBEACH.COM

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PROJECT NAME	112009-PLAN-407
PROJECT NO.	112009-PLAN-407
DATE	10/1/15
BY	MLK
CHECKED	MLK
APPROVED	MLK
SCALE	AS SHOWN
NOTES	1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF ALABAMA AND THE ALABAMA DEPARTMENT OF HIGHWAYS AND TRANSPORTATION.

112009-PLAN-407



ANDREY AND DESIGN, LLC  
288 STONG STREET  
HARTFORD, CT 06103  
0185-2234

**Plant Material Key**

- Canopy Trees**
- Betula populifolia
  - Fraxinus americana
  - White Ash
  - Populus tremuloides
  - Quaking Aspen
  - Thuja occidentalis
  - American Arborvitae
  - Existing Deciduous Tree
  - To Remain
  - Timeline of Remaining Woods

**Ornamental Trees**

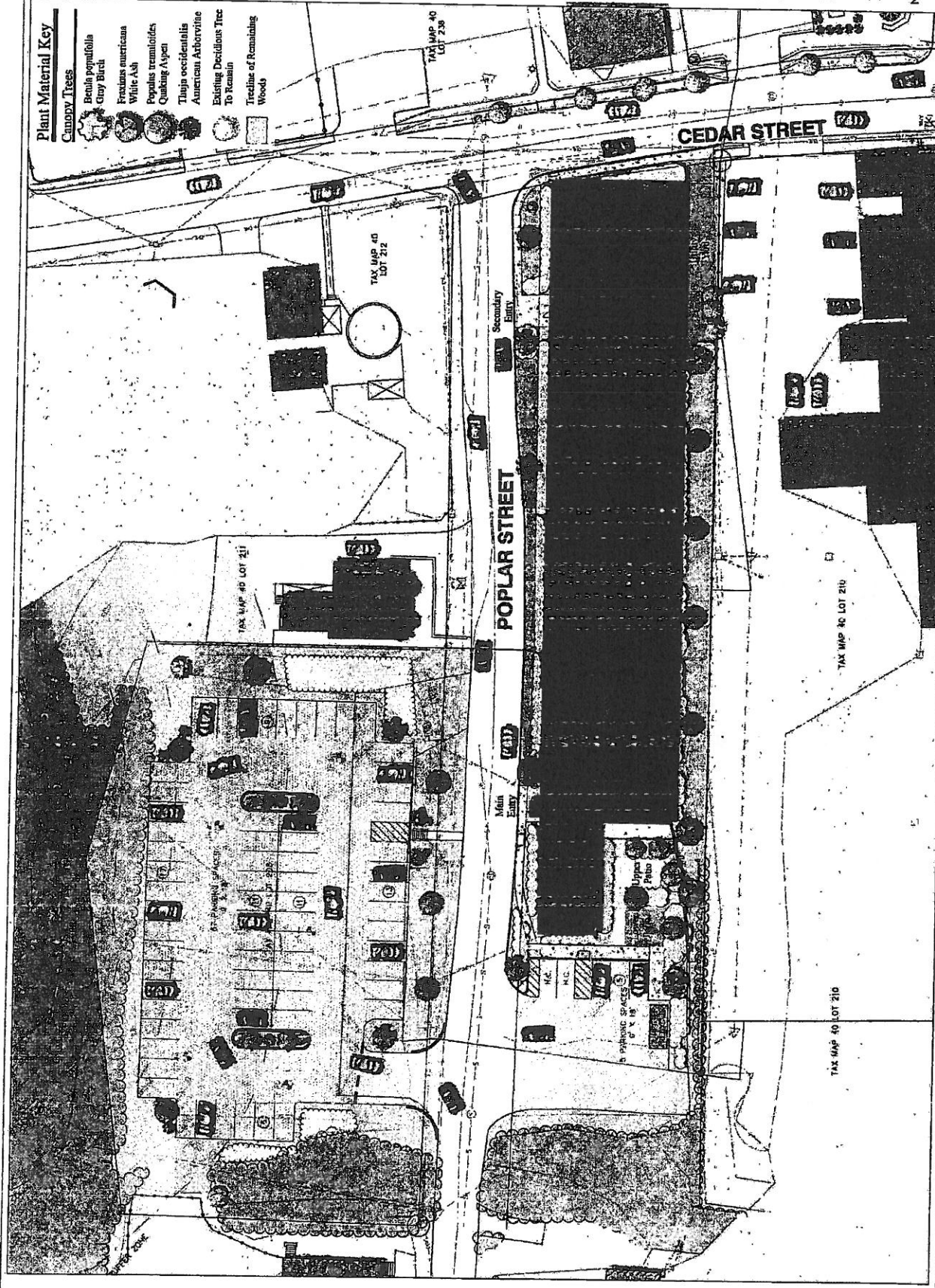
- Andromeda
- Allegany Serviceberry
- Cornus racemosa
- Gray Dogwood
- Prunus virginiana
- Common Chokeberry

**Shrubs**

- Erica medeolensis
- Heather variety
- Fothergilla gardenii
- Witch Alder
- Hypericum 'Hidcote'
- Hidcote St. Johnswort
- Potentilla fruticosa
- Shrubby Cinquefoil
- Clethra alnifolia
- Sweet Pepperbush
- Gaylussacian baccharis
- Black Huckleberry
- Lonicera borealis
- Spicebush
- Vaccinium angustifolium
- Lambert Blueberry

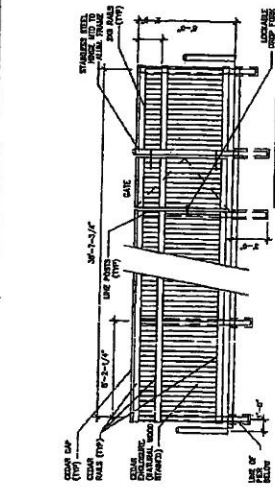
**Groundcovers**

- Conservation Seed Mix
- Upland Seed Mix
- Organic Mulch
- Turf
- Seasonal Annuals

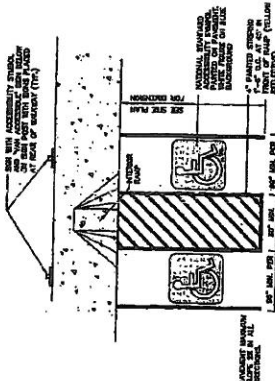


LANDSCAPE CONCEPT  
PLAN  
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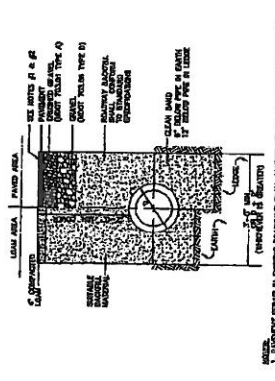
FOR REGISTRY USE ONLY



TYPICAL DRAINAGE TRENCH  
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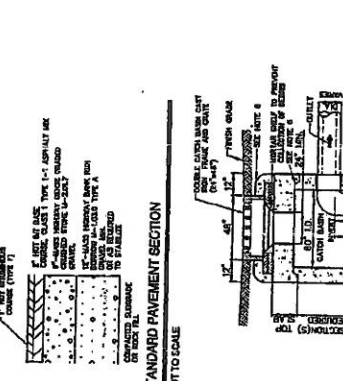
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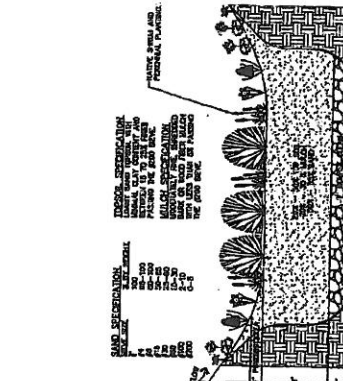
DOUBLE GRATE CATCH BASIN  
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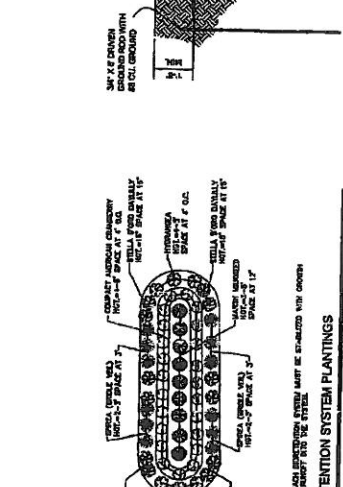
HANDICAP PARKING LAYOUT  
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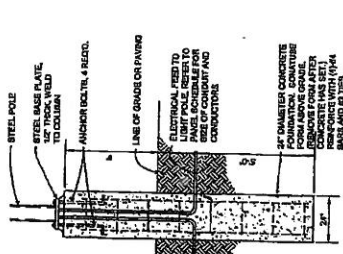
TYPICAL BIORETENTION SYSTEM PLANTINGS  
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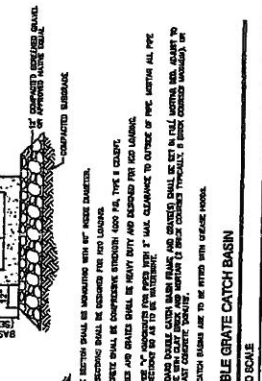
5" VERTICAL GRANITE CURB  
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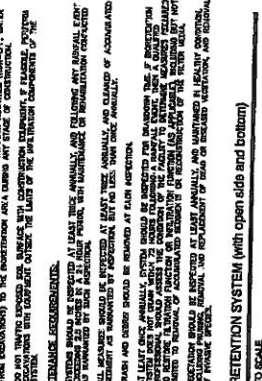
5" VERTICAL GRANITE CURB  
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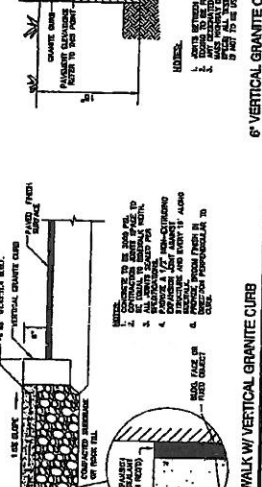
5" VERTICAL GRANITE CURB  
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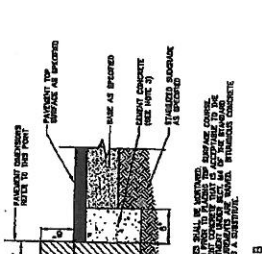
CONCRETE SIDEWALK W/ VERTICAL GRANITE CURB  
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CONCRETE SIDEWALK W/ VERTICAL GRANITE CURB  
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CONCRETE SIDEWALK W/ VERTICAL GRANITE CURB  
NOT TO SCALE



CONCRETE SIDEWALK W/ VERTICAL GRANITE CURB  
NOT TO SCALE

FOR REGISTRY USE ONLY

DESIGNED BY: J/B Jones & Beach Engineers, Inc.  
PROJECT: MILL REDEVELOPMENT  
POPULAR STREET, AUBURN, MA 01813  
OWNER: PAUL F. ABELE TRUST  
DATE: 08/20/2013

DETAIL SHEET  
D1  
SHEET 7 OF 11  
2013/08/20/2013

Plan Name: MILL REDEVELOPMENT  
Project: POPULAR STREET, AUBURN, MA 01813  
Owner: PAUL F. ABELE TRUST  
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- [illegible]

[illegible][illegible]

ALL EXCESS COSTS SHALL BE INCURRED IMMEDIATELY AFTER EACH RAINFALL. UPON COMPLETION OF CONSTRUCTION, IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY ANY RELEVANT PERMITTING AGENCIES THAT THE CONSTRUCTION HAS BEEN COMPLETED IN A SATISFACTORY MANNER.

[illegible]

## STOCKPILE PRACTICES

- 
- Diagram illustrating a storm drain trench with a manhole. The trench is 5' deep and 8' wide. The manhole is 3' in diameter. The trench is labeled "STORM DRAIN" and the manhole is labeled "MANHOLE". The trench is shown in cross-section with "EXISTING GROUND" and "NEW DRAINAGE" lines. The manhole is shown in cross-section with "NEW DRAINAGE" and "EXISTING GROUND" lines.

[illegible][illegible]

1. PLACE THE KIDS OF THE SILT FENCE UP CONTIGUOUS TO FENCE FOR STORAGE.

2. SILT FENCE SHALL REMAIN IN PLACE FOR 24 MONTHS.

**SILT FENCE**

Plan Name:	ERIC
Project:	

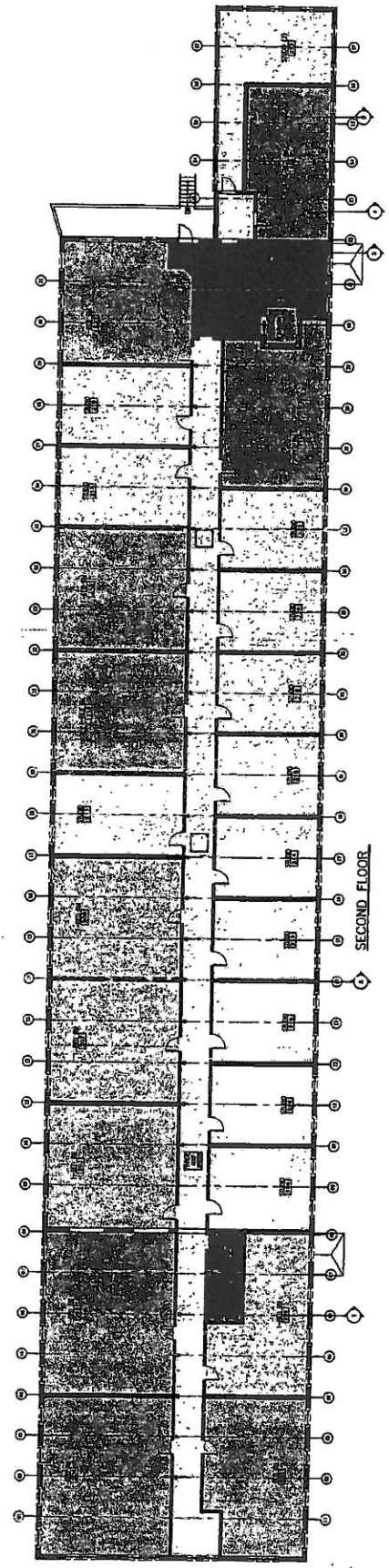
<b>NOT TO SCALE</b>	
Designed and Produced in NH	
<b>ERIC &amp; Beach Engineers, Inc.</b>	
<b>Engineering Services</b>	
800-772-7245 FAX 603-712-0227	

	FOR REGISTRY USE ONLY.
--	------------------------

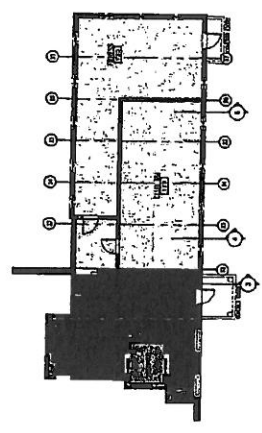
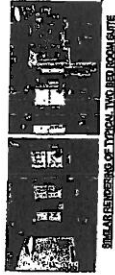
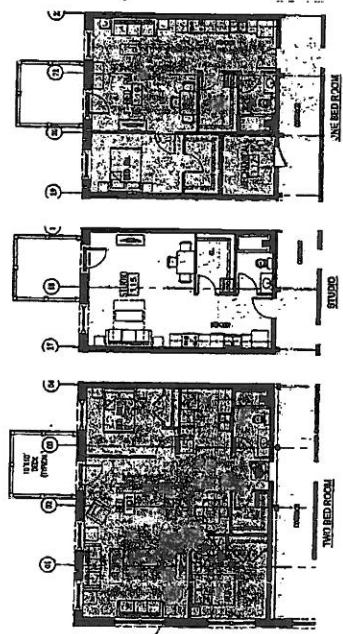
- 
- CONCRETE BLOCKS
- THIS SECTION SHALL BE PLACED BETWEEN BRIDGE AND ABUTMENT TO PREVENT THE AGGREGATE FROM BEING WASHED INTO THE WATERCOURSE

REMOVED AFTER EVERY STUDY EVENT. THE DEPOSITS SHOULD BE EXAMINED AT APPROXIMATELY ONE HALF THE HEIGHT OF THE BARBER.

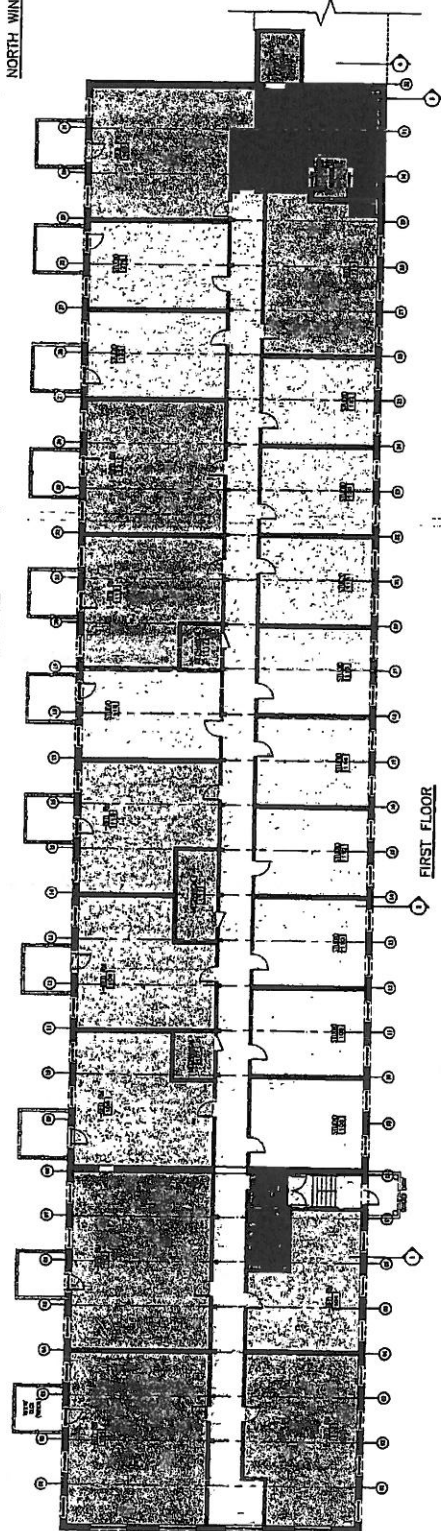
CONTROL DETAILS  
DEVELOPMENT  
ESBURY, MA 01913



SECOND FLOOR



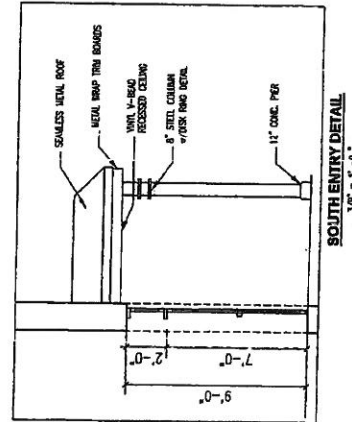
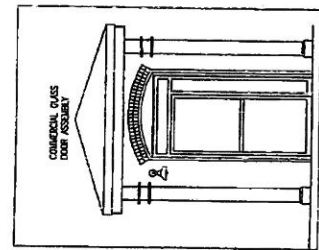
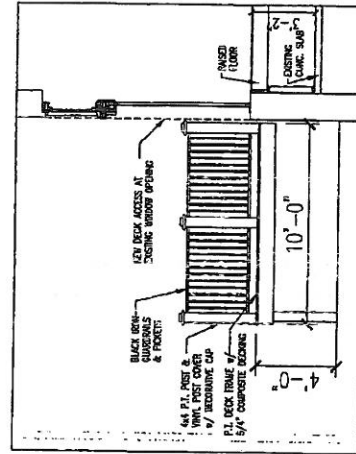
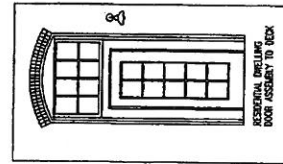
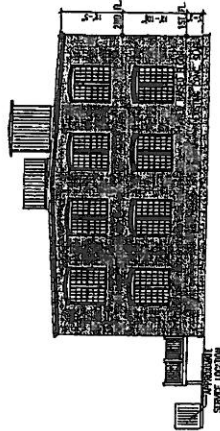
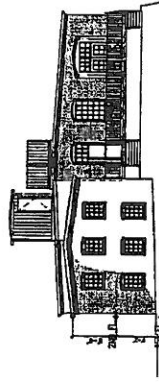
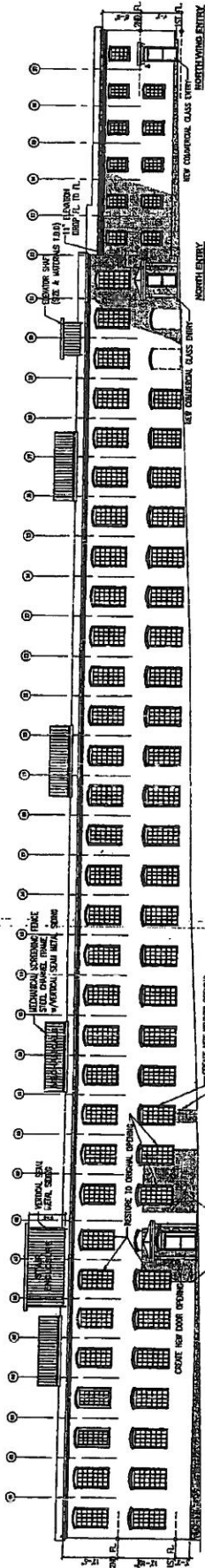
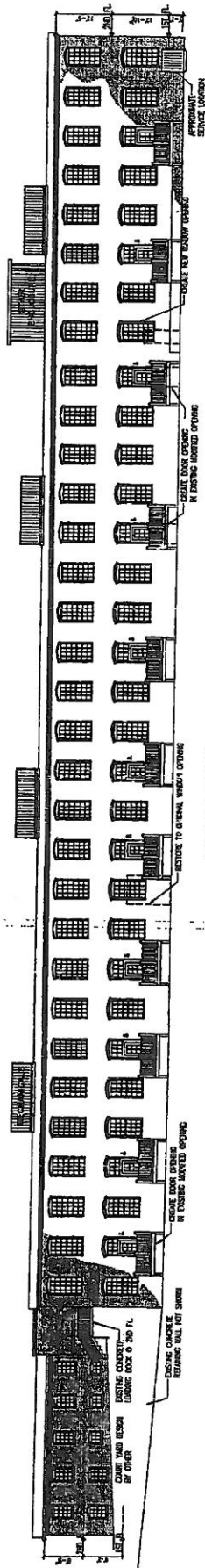
NORTH WING FIRST FLOOR



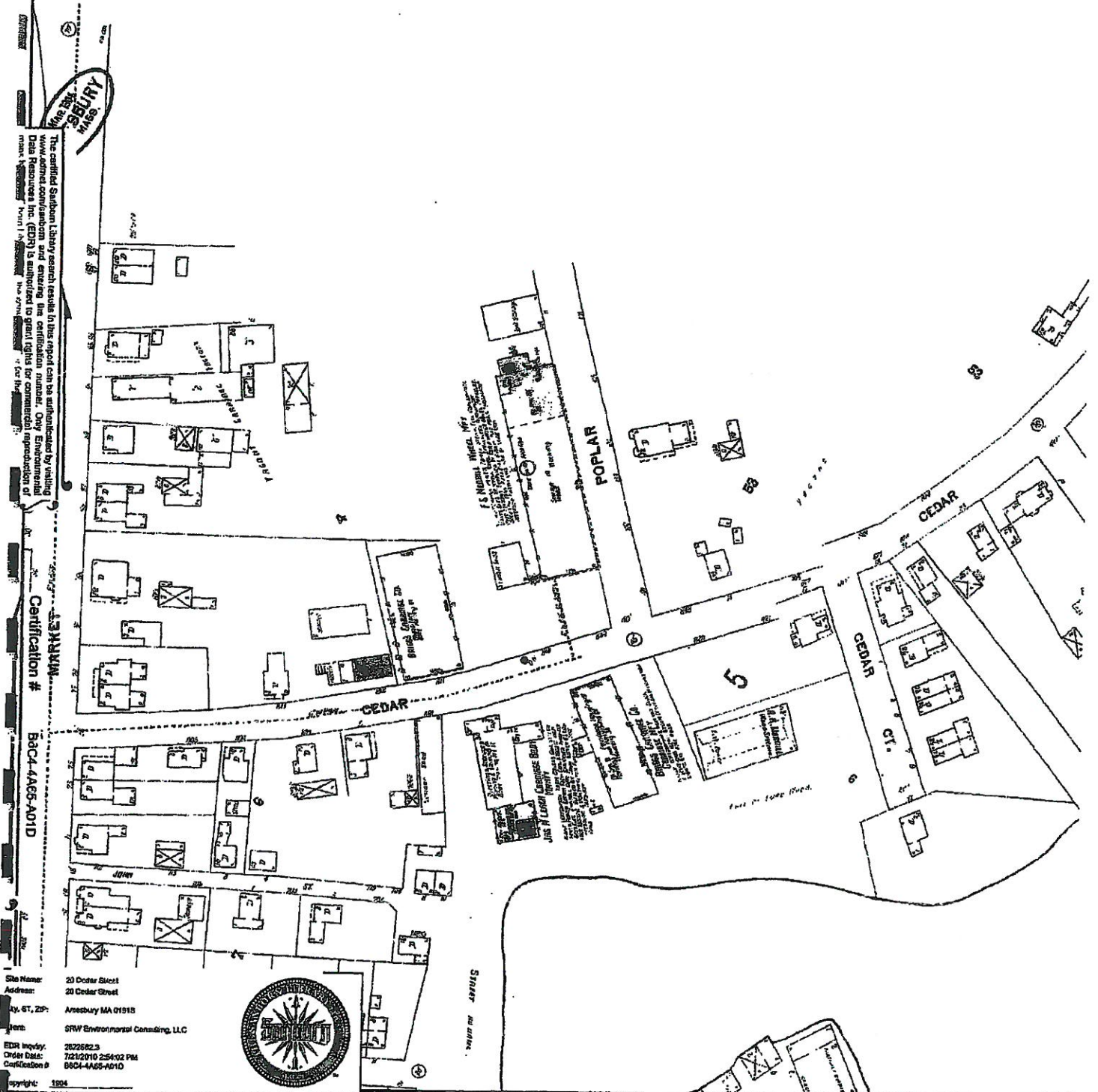
FIRST FLOOR

SPACE COLOR LEGEND (BT)	
	MECHANICAL
	COMMON
	EGRESS EXIT
	STUDIO
	ONE BEDROOM
	TWO BEDROOM
TOTAL SQ. FT.	

PROJECT: LAYOUT PRESENTATION FOR  
 ANESBURY MILL RENOVATION  
 ADDRESS: 30 CEDAR STREET - ANESBURY, MA 01813  
 DATE: 5-24-2013  
 SCALE: 3/32" = 1'-0"  
 DRAWING: TPA  
 SHEET NO.: 1  
**PRE A-1**  
 Drawing prepared by:  
 3 Project Rev.  
 Issued: 10/05/07



# 1904 Certified Sanborn Map



The certified Sanborn Library search results in this report can be authenticated by visiting [www.admet.com/sanborn](http://www.admet.com/sanborn) and entering the certification number. Only Environmental Data Resources Inc. (EDR) is authorized to grant rights for commercial reproduction of maps. [www.admet.com/sanborn](http://www.admet.com/sanborn) is the only source for the maps.

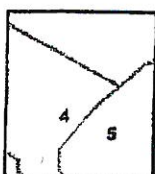
Certification # B0C4-4A65-A01D

Site Name: 20 Cedar Street  
 Address: 20 Cedar Street  
 City, ST, ZIP: Amesbury MA 01915  
 Firm: SRW Environmental Consulting, LLC  
 EDR Inquiry: 2622682.3  
 Order Date: 7/21/2010 2:54:02 PM  
 Certification #: B0C4-4A65-A01D  
 Copyright: 1904



This Certified Sanborn Map combines the following sheets.  
 Outlined areas indicate map sheets within the collection.

0 Feet 150 300 600



Volume 1, Sheet 4  
 Volume 1, Sheet 5

[illegible]

N.

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that I, PAUL F. KAPELA, single, of 38 Highland Road, South Hampton, New Hampshire 03827, for one Dollar (\$1.00) consideration paid, grant to PAUL F. KAPELA as TRUSTEE OF THE PAUL F. KAPELA TRUST, created by Declaration of Trust heretofore on this the 16<sup>th</sup> day of December 1998, with a mailing address of 38 Highland Road, South Hampton, New Hampshire 03827, with Quitclaim Covenants, two parcels of land situated in Amesbury, in the County of Essex and Commonwealth of Massachusetts, bounded and described as follows:

FIRST PARCEL:

WESTERLY by Poplar Street two hundred sixty three and 80/100 (263.80) feet;

NORTHERLY by land now or formerly of Philip Briand et al one hundred thirty six and 03/100 (136.03) feet;

EASTERLY by land now or formerly of Massachusetts Electric Company two hundred sixty five and 47/100 (265.47) feet; and

SOUTHERLY by land now or formerly of Elgar B. Gardner et al one hundred thirty six and 45/100 (136.45) feet.

All of said boundaries are determined by the Court to be located as shown upon plan numbered 30402-A, drawn by Ralph B. Brasseur, Surveyor, dated June 6, 1960, as modified and approved by the Court, filed in the Land Registration Office, a copy of a portion of which is filed with the original Certificate of Title 42416 in said Registry, and the above described land is shown as lot 3, thereon.

SECOND PARCEL:

EASTERLY by Poplar Street three hundred ninety three and 66/100 (393.66) feet;

SOUTHERLY by Cedar Street eighty two and 80/100 (82.80) feet;

WESTERLY by land now or formerly of Charles J. Henschel & Co., Inc. and by lot 4, as shown on plan hereinafter mentioned, four hundred sixteen and 14/100 (416.14) feet; and

NORTHERLY by land now or formerly of Roland L. Blake Jr. et al eighty five and 35/100 (85.35) feet.

All of said boundaries are determined by the Court to be located as shown upon plan numbered 30402-C, drawn by E. Conrad Levy & Assoc., E. Conrad Levy, Surveyor, dated April 29, 1974, as modified and the Court, filed in the Land Registration Office, a copy of which is filed with Certificate of Title 46084 in said Registry, and the above described land is shown as lot 5, on last mentioned plan.

And it is further certified that said land is under the operation and provisions of Chapter 185 of the General Laws, and that the title of said land is registered under said chapter, subject, however, to any of the encumbrances mentioned in Section forty-six of said Chapter, which may be subsisting and subject to the memoranda of encumbrances for this certificate.

For title reference of Grantors title, see Certificate of Title No. 66907, Document 320434 at the Southern Registry District of Essex County.

Witness my hand and seal on this the 16th day of December, 1998.

*Jacqueline A. Smith*  
Witness

*Paul F. Kapela*  
PAUL F. KAPELA

STATE OF NEW HAMPSHIRE  
ROCKINGHAM, SS

Dated: December 16, 1998

Then personally appeared before Paul F. Kapela, know to me to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same as his free act and deed.

GANZ LAW OFFICE  
P.O. Box 238  
Seabrook, NH 03874-0238

*Margaret Ann Russell*  
Notary Public

My Commission Expires: 12-06-2006



LOCUS: 4 Poplar Street, Amesbury, Massachusetts 01913

DOCUMENT NO. 351361

*Deed*

SEX SOUTH REGISTRY DISTRICT	
DEC 1 8 1900	
RECEIVED	8 OCTOBER 31 1900
REGISTRATION BK 352 PG 20087	

PLAN OF LAND IN AMESBURY

Ralph B. Brasseur, Surveyor

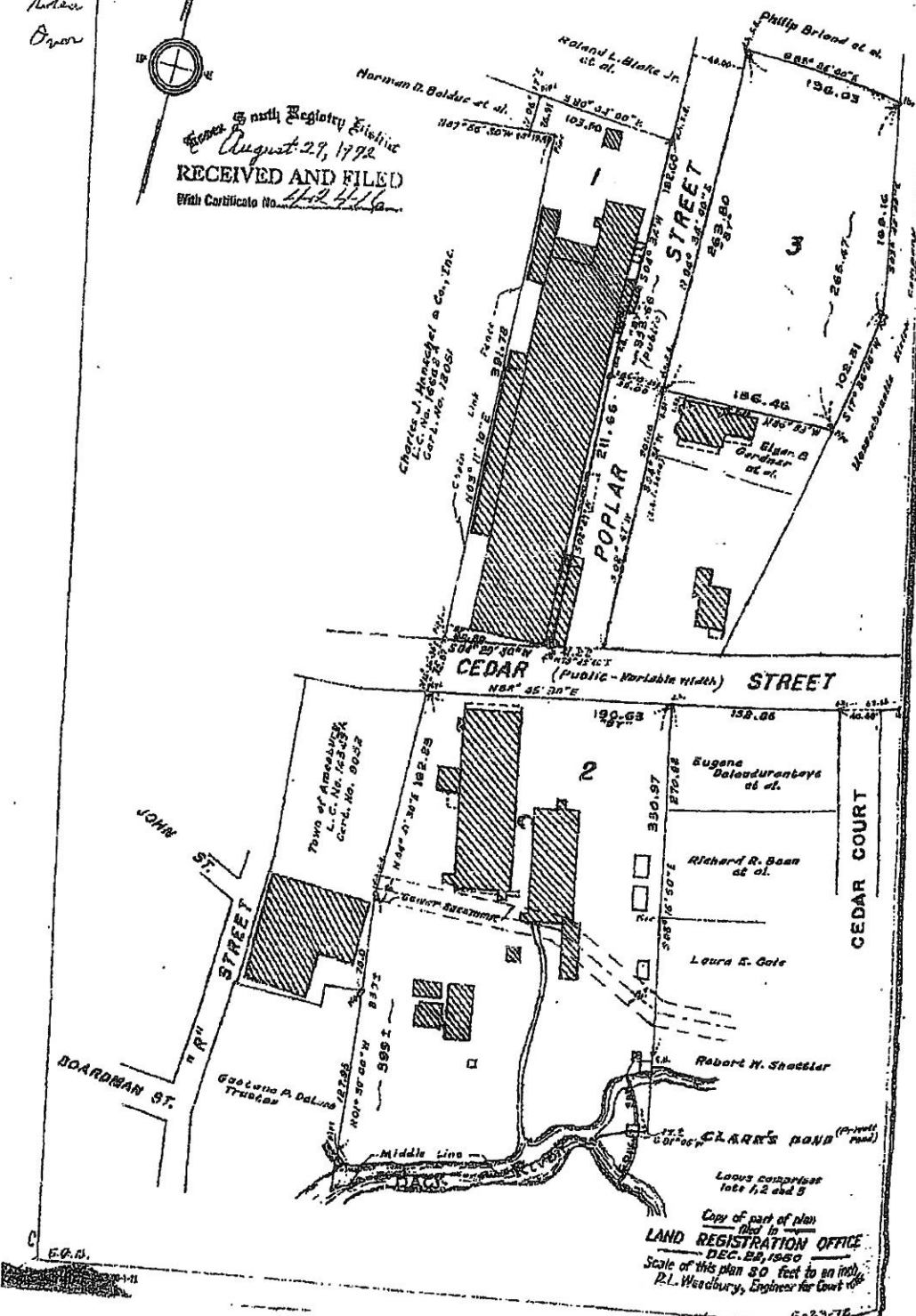
June 6, 1960

30402A

See  
Notes  
Over



Mass. & North Registry Examine  
August 29, 1972  
RECEIVED AND FILED  
With Certificate No. 442416



Copy of part of plan  
filed in  
LAND REGISTRATION OFFICE  
DEC. 28, 1960  
Scale of this plan 80 feet to an inch  
R.L. Woodbury, Engineer for Court

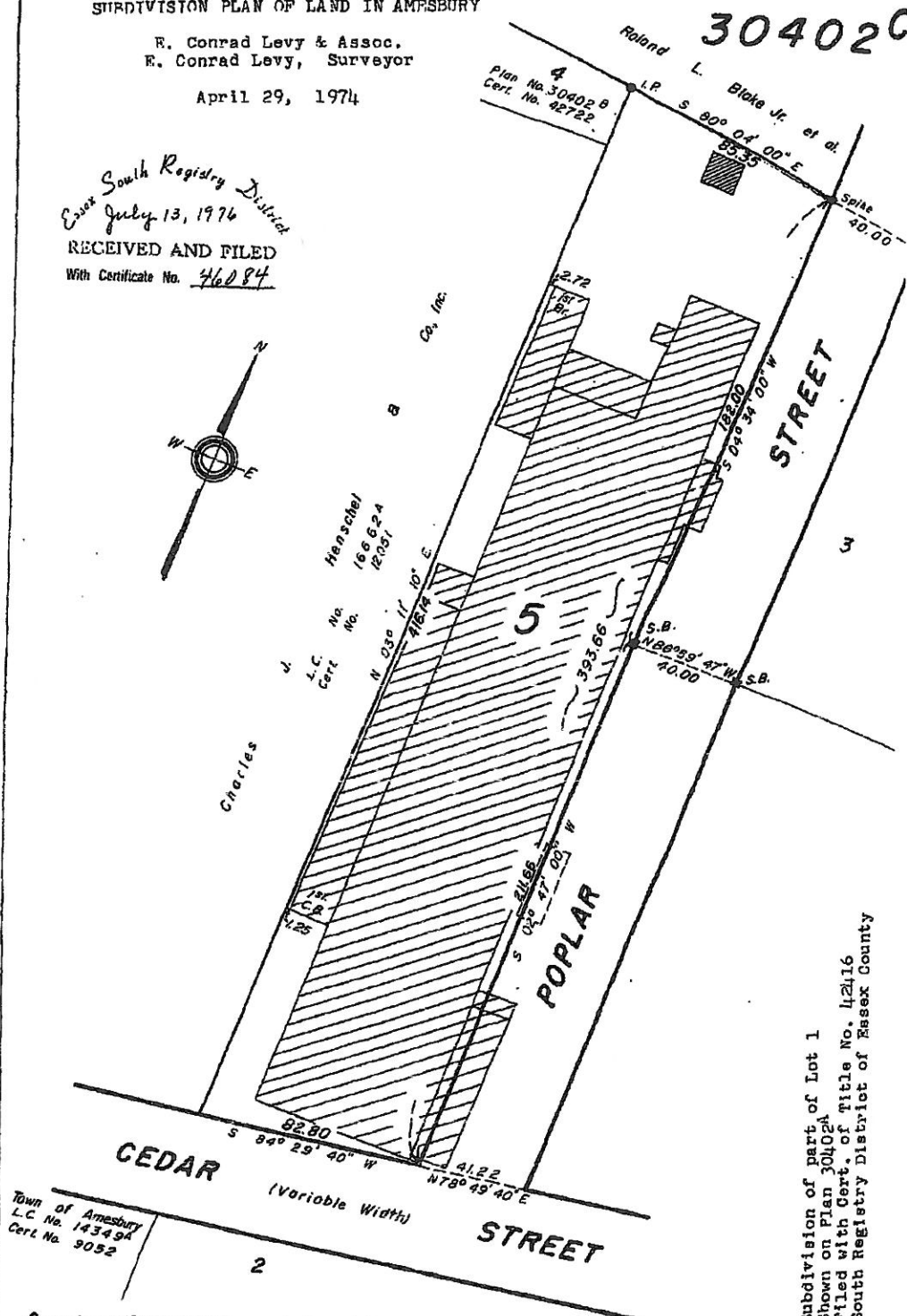
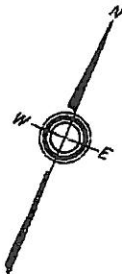
C-24-76

SUBDIVISION PLAN OF LAND IN AMESBURY

E. Conrad Levy & Assoc.  
E. Conrad Levy, Surveyor

April 29, 1974

Essex South Registry District  
July 13, 1976  
RECEIVED AND FILED  
With Certificate No. 46084



Town of Amesbury  
L.C. No. 143494  
Cert. No. 9052

Separate certificates of title may be issued for land  
shown hereon as Lot 5.  
By the Court.

MAY 20, 1974  
M.C.

Margaret M. Daly  
Recorder.

Copy of part of plan  
Filed in  
LAND REGISTRATION OFFICE  
MAY 20, 1974  
Scale of this plan 40 feet to an inch  
R.L. Woodbury, Engineer for Court

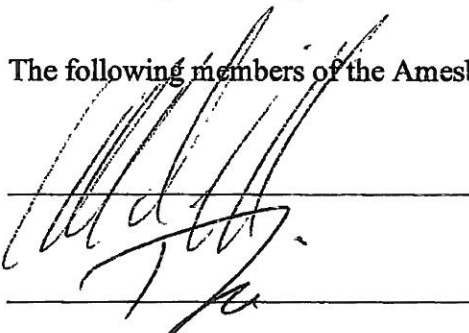
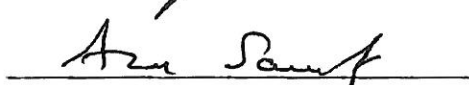
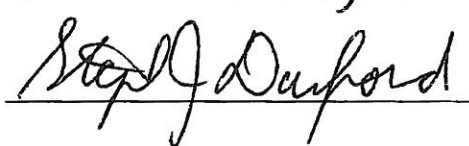
TO:

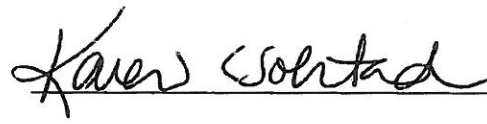
Matt Assia  
Chinburg Builders Inc.  
3 Penstock Way  
New Market, NH 03857

PLANNING BOARD VOTE:

On October 07, 2013, the Amesbury Planning Board voted ALL in favor to approve the Special Permit and Site Plan, as amended, for the proposed Conversion of Existing Industrial Building into residential use at the corner of Cedar Street and Poplar Street in Amesbury MA subject to the findings, waivers and conditions noted in this Decision.

The following members of the Amesbury Planning Board voted on this Decision:

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_

  
\_\_\_\_\_  
\_\_\_\_\_

Filed with the City Clerk on October 24, 2013

  
\_\_\_\_\_  
City Clerk

A building permit is required for any construction remodeling. It is your responsibility to file this Decision with the Registry of Deeds and to record the plans after endorsement; forms may be obtained from the City Clerk's Office.

*Any appeal shall be made pursuant to Section 17, Chapter 40A, M.G.L. and shall be filed within twenty (20) days after the date of filing of such notice in the office of the City Clerk's Office.*



561522 (87141) Btch:318685  
Southern Essex District Registry  
5/12/2015 11:10 AM DCSN Pg: 1/38

## CITY OF AMESBURY

Bonnijo Kitchin  
City Clerk

City Hall, 62 Friend Street  
Amesbury, MA 01913-2886  
Tel: (978) 388-8100  
Fax: (978) 388-8150

### APPEAL CERTIFICATION

Applicant: Chinburg Builders

Paul F. Kapela Trust  
Property: 20 Cedar Street and 4 Poplar Street  
Amesbury, MA

I hereby certify that 20 days have elapsed from the date this certification was issued and no appeal has been filed in this office.

• A true copy. Attest:

Bonnijo Kitchin  
City Clerk,  
Amesbury, MA.

May 7, 2015  
Date

**Compliance with Conditions Set Forth by the Amesbury Planning Board Decision prior to Issuance of a Building Permit**

**SIGN-OFF FORM (PB200601-BUILDING)**

(IMPORTANT: IT IS THE RESPONSIBILITY OF THE PERSON SEEKING BUILDING PERMIT TO GET THE SIGN OFF FROM EACH OF THE DEPARTMENTS LISTED BELOW. THE CITY WILL NOT BE HELD RESPONSIBLE FOR LACK OF ACTION ON THE APPLICANT'S BEHALF. BEFORE SIGNOFF, COPIES OF THE RECORDED DECISION AND THE APPROVED PLAN SET SHOULD BE SUBMITTED TO THE PLANNING OFFICE.)

By signing below, the following City Department/City Officials, agree that the conditions of this permit prior to making application for building permit have been completed and recommend that an application for a building permit for the units indicated below may be granted:

Engineering Department/City Engineer \_\_\_\_\_

Department of Public Works/DPW Director \_\_\_\_\_

Planning Office/City Planner \_\_\_\_\_

Conservation Commission/Agent \_\_\_\_\_

Police Department \_\_\_\_\_

Fire Department \_\_\_\_\_

Document: 561522

DCSN

ESSEX SOUTHERN DISTRICT REGISTRY OF DEEDS  
RECEIVED FOR REGISTRATION

On: 5/12/2015 11:10 AM

Noted on Cert: 87141 BOOK: 505